

Attorney Docket No.: T3109(C)
Serial No.: 10/587,136
Filing Date: July 21, 2006
Confirmation No.: 3175

REMARKS

Election/ Restrictions

The Examiner has restricted the following inventions:

Group I: claim(s) 1-6,11 and 14 drawn to skin lightening product.

Group II: claim 7 drawn to skin lightening product.

Group III: claim 8 drawn to method of increasing ratio of light melanin to dark melanin in skin.

Group IV: claim 9 drawn to method of increasing ratio of light melanin to dark melanin in skin.

Group V: claim 10 drawn to method of increasing ratio of light melanin to dark melanin in skin.

Group VI: claim 13 drawn to method of modulating production of melanin in the skin of a mammal

Group VII: claims 12 and 15, drawn to allegedly non-statutory subject matter

Applicants elect **Group III** – claim 8 and claims depending there from for prosecution on the merits and have provided the above amended set of claims.

Amendments to the Claims

Claims 1-7 and 11-15 have been cancelled without prejudice.

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Amended claim 9 specifies that components (a) and (b) recited in claim 8 are administered systemically while component (c) is administered topically. The amendment is supported by original claim 8 and page 1, lines 18-26 of the specification.

Amended claim 10 specifies that all the components (a) , (b) and (c) recited in claim 8 are administered systemically. The amendment is supported by original claim 10 and page 3, lines 8-9 of the specification.

Applicants respectfully submit that amended dependent claims 9 and 10 belong to the same invention as claim 8. The amended claims include the same chemical components, but narrow the scope of the parent claim through the application of selection criteria that are disclosed in and within the scope of the parent claim.

Claim 16 is new and specifies that the flavanoid recited in claim 8 comprises a mixture of proanthocyanidins and anthocyanidins as disclosed on page 4, lines 28-29.

Claim 17 is new and specifies that the flavanoid recited in claim 8 comprises one or more flavanones as disclosed on page 5, lines 5 and 6.

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If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned agent invites the Examiner to telephone him at the number provided.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael P. Aronson". The signature is written in black ink and is positioned above a horizontal line.

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